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**BURNS DECLARES LIES
HAVE**

**BEEN TOLD TO
SOLICITOR**

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**SCOFFS AT
THEORY**

**THAT
PROSECUTOR**

WAS PREJUDICED

Detective Expresses
Confi-

dence in Solicitor and
De-

clares Vigorous
Prosecution

Prompted by Sense of
Duty

WILL SUBMIT HIS
REPORT

TO COUNSEL FOR
STATE

“Whether Frank or
Another Is

Guilty, Proof Will Be
Suffi-

cient to Convince All
Fair

Minds,” He Says

William J. Burns, the detective, expressed the opinion
Thursday that Leo Frank’s prosecutor, Solicitor General Hugh M.

Dorsey, is still open to conviction about the Mary Phagan murder case, and declared he is confident that when he submits his report on the case that he will be able to convince the solicitor, whether he finds Frank guilty or innocent.

Burns, Thursday, made no comment on the construction placed on his remarks by a Journal story—namely that now he considers Frank innocent of the crime for which he has been condemned.

In discussing the case he seemed to make the inference stronger by the assertion that he can convince the solicitor that he has been lied to.

When he has finished his investigation he will submit a copy of his report to the solicitor general for the latter's consideration, Burns said.

The detective in talking to newspaper men defends the solicitor, who has been repeatedly attacked for his method of conducting the Frank case. The talk about the solicitor being prejudiced Burns characterizes as "bosh."

"The solicitor has done no more than to prosecute an important case in a very vigorous and capable manner," he declared.

MOST HORRIBLE CRIME.

"The country would be in a bad way without solicitors who are aggressive in their prosecutions to defend the law," the famous detective said. "The crimew as one to demand a vigorous prosecution. In fact, I consider the Mary Phagan murder one of the most horrible crimes of the century—a crime which would naturally arouse the indignation of the people. That there was so much sentiment, of course, is unfortunate for Frank, the man, if he is innocent."

"When we bring the facts to light, and the solicitor has the report, I haven't the slightest doubt that he will be convinced."

“Of course,” Mr. Burns added smiling, “he will not have to be convinced if Frank is guilty.”

During his talk Mr. Burns made the flat-footed assertion that he will show the solicitor where lies have been told him.

The attention of the detective was called to meager testimony at the trial about the staple on the rear door of the pencil factory basement which was prized aloose from the inside.

Mr. Burns quickly said: “Don’t worry about that, we will show you the facts in regard to the staple when the proper time comes.”

Apparently, the detective has already secured new information about the point, which he considers authentic. On the stand at the trial, James Conley, who admitted carrying the body of the girl to the basement, disclaimed any knowledge of the staple, which had been pulled from the back door in order that a person might leave the building by that door without having the key.

Interesting in connection with Burns’ work on the case, was the receipt by the Sheriff at the Tower Thursday of

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SCOFFS AT THEORY THAT PROSECUTOR

WAS PREJUDICED

(Continued from Page One.)

Frank's death warrant—the order of Judge Hill, of the criminal division of the superior court for Sheriff Mangum to execute the prisoner on April 17. The receipt of the death warrant calls to mind the fact that the men who are fighting for Frank have less than a month left in which to act.

Attorney Reuben R. Arnold, of the Frank defense, who appeared before the United States supreme court in Washington Wednesday, has gone to New York City. This fact has given credence to the report that an important point in the case has been developed in New York by the defense. Only a week ago Luther Z. Rosser, senior counsel for Frank, and Herbert Haas, one of the associate Counsel, were both in New York.

Burns himself is said to have investigated several points in connection with the Atlanta case when he was in New York the latter part of last week.

PLANS NOT DISCLOSED.

Mr. Burns would not disclose his plans for Thursday's operations further than that he expects to talk again with Frank, the prisoner in the Tower, under sentence of death as the murderer. He was asked if Frank is brought into conference so often because the prisoner is better informed on the case than others not so vitally concerned in its outcome.

"No," answered the detective, "not exactly that. Frank is a man of marvelous memory for details. Also, he is very methodical."

Mr. Burns' statement published by The Journal Wednesday that he believes the proper way to solve any mystery is to make the theory fit the known facts, taken in connection with his other statement that he often changes his theory several times in the investigation of involved mysteries, is interesting when considered in relation to what The Journal has construed from his remarks—that he now believes Frank is not the guilty man.

Mr. Burns declared again Thursday that he expects to see Jim Conley, the negro accuser of Frank, before he finishes his work. He would not predict when he expects to finish.

His attention was called to William M. Smith's request, as attorney for Conley, that the jailers admit no one to see the negro unless Smith is notified and is present. Mr. Burns smiled.

PLANS TO SEE CONLEY.

He was asked if he thought Attorney Smith could prevent him from seeing Conley.

"No, indeed; I certainly do not," he replied. "I don't see where he has anything to do with that part of it."

But he added that he had no objection to Attorney Smith being present when he talks with the negro.

The fact that Mr. Burns has conducted his investigation so far without a word of information from the negro Conley is taken by many to indicate quite clearly that Conley himself is the object of the hunt.

Mr. Burns admitted that Dan Lehon, head of his New Orleans agency, has been called to Atlanta to aid in the investigation. He expressed again his confidence that he is on the trail of the murderer. He said he expects to make the mystery so clear that every body the mystery so clear that every body will concede the solution is right.

"If the detectives who worked from the beginning on this case had gone about their investigation in a different manner, do

you think the case would have been cleared by now to the satisfaction of everybody?" he was asked.

He replied that he did not want to criticize anybody. "Of course, it is easier to take a case from the jump and ferret it out than to clear a mystery long after a crime is committed," he added.

While every effort is being made to prevent a possible secret interview, William M. Smith, attorney for Jim Conley, declares he is perfectly willing for Detective J. Burns to interview the negro, provided he (Smith) is present.

There has been much interesting speculation relative to probable efforts of the famous detective to interview the negro, who accuses Leo M. Frank of the murder of Mary Phagan, and Thursday, for the first time, the negro's attorney stated his position to The Journal.

"I will be glad for Mr. Burns to see the negro and ask him any questions, and I shall instruct my client to answer freely and fully," he said.

"I do insist, however, that I be present whenever Conley talks to Detective Burns or to anyone else. I think my client's interest demands such a policy."

Attorney Smith, in reply to questions, said he would not be willing for Burns to talk to the negro in the presence of anyone except himself.

The detective, Mr. Smith says, has made no effort so far as he knows to see the negro. Burns has not communicated with him in any way, he says.

REPORT IS DENIED.

Attorney Smith states the report that he recently filed a written demand with the sheriff, asking that no one be allowed to see the negro, is erroneous.

Immediately after the Frank trial, Judge L. S. Roan issued an order to prohibit all visitors from the negro's cell except on written order from Mr. Smith, and there has been no further order or request in the matter.

Confident that in a short time he can name the murderer of Mary Phagan and demonstrate the guilt of that person to all fair-minded people, Detective Burns is continuing his probe.

During the afternoon Wednesday he paid a visit to the tower and talked with Leo Frank for a few minutes. Burns has frequently visited the condemned man, Frank, during the many hours he has spent in a cell has made a careful study of the case and is thoroughly familiar with every point. Without referring to records of the trial or any printed matter about the case, he is ready to answer in an instant, questions about minute and supposedly unimportant details of the case and its investigation.

Besides the condemned man Burns Wednesday interviewed several witnesses in the case, and had a conference with attorneys for Frank.

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**JOURNAL IS
COMMENDED**

**LETTERS OF
INDORSEMENT**

INCREASE IN NUMBER

From All Sections of
Country

Come Letters
Commending Journal
Editorial

There seems to be no let-up in the steady flow of letters indorsing The Journal's editorial declaration that "Frank Should Have a New Trial." Instead of diminishing in number these letters are on the increase. Every mail brings The Journal dozens of commendatory letters. They come from all sections of the country, the majority of the authors being citizens of Atlanta and Georgia.

A few more of these letters follow:

FROM J. C. LOGAN.

Joseph C. Logan, secretary of the Atlanta Associated Charities, writes as follows:

Editor Journal, City.

Your editorial urging a new trial for Frank is to be commended from every standpoint.

We do not readily confess when we lose control of our normal processes of thought; though often, when mystery is deep and feeling is high, our thinking drifts as uncontrolled and inevitably as would our bodies in the swift current of Niagara.

Says a great physician and a great student of men, Richard C. Cabot, "Crowd-contagion is headless and blind. It leads to anarchy or to murder; it exalts or destroys a man or an institution, with as little intention as an earthquake or a drought."

When in the course of events a judgment is concluded under such circumstances let us frankly confess that we ought not in justice to act upon it where a human life is involved.

J. C. LOGAN.

FROM E. W. COLEMAN.

E. W. Coleman, attorney of Canton, says in part:

March 17, 1914.

Editor Journal: I want to thank you and approve your course set out in your editorial on granting Frank a new trial. Many persons are now approving your course, and nearly everyone you may meet will say he thought Frank guilty, but thinks he should have a new trial. Nearly every one now thinks it a bad precedent to convict a man and execute him on the testimony of a negro like Conley.

Very truly,

E. W. COLEMAN.

FROM W. P. THOMAS.

Walter P. Thomas, superintendent of public schools of West Point, writes:

West Point, March 17, 1914

Hon. James R. Gray,

Editor Atlanta Journal, Atlanta, Ga.

Dear sir.—Let me commend your strong editorial of recent date, in advocacy of simple justice and fair play for Leo M. Frank. respect for the majesty of the law, and the decree of the courts will not suffer in the least by having his case now of national interest reopened and this unfortunate man given a trial stripped of all malice, hate and prejudice. Until this is done, the great state of Georgia cannot afford to let this man hang—like Judge Roan, it cannot say whether he is guilty or innocent, but this I do know, that he could not possibly have had a fair trial, at the time he was tried, when the public was demanding a victim not only to atone for the murder of Mary Phagan, but for the great number of undiscovered crimes committed in Atlanta.

Very truly yours,

WALTER P. THOMAS.

FROM M. L. CONVINGTON.

Melville L. Convington, parole officer at the Atlanta federal prison, expresses himself as follows:

Atlanta, Ga., March 18, 1914.

Editor Journal: I desire to most heartily commend your editorial of recent date relative to the case of the state of Georgia against Leo M. Frank. It required no little courage upon the part of the management to take such a position.

I have been engaged in the prosecution of crime and in the handling of criminals for more than ten years and I have never before known or heard of a case being tried under such conditions and the verdict allowed to stand. I do not wish to be understood as criticizing the courts for it has ever been my pleasure to honor the courts and all those engaged in the administration of the law, but I must say that at the time this man was tried the public mind was so inflamed that it was an impossibility to correctly weigh testimony in order to arrive at the truth. It would, I think, be folly upon the part of anyone to insist that this feeling did not enter the court room, and even pass through the keyhole into the jury room.

Whatever our mental attitude as to the guilt or innocence of the accused, we should not deny to him the right of a fair and an impartial trial. The distinguished gentlemen representing the commonwealth cannot, I think in good conscience, insist that he has had such a trial. Those who believe honestly in the guilt of the accused should also believe in a trial free from an atmosphere of violence.

Let the defendant be given a new trial and the state of Georgia saved the disgrace of possibly shedding innocent blood.

Your friend,

M. L. COVINGTON.

FROM A. H. BAILEY.

A. H. Bailey, of the Elyea-Austell company, Atlanta, writes the following l

etter:

Atlanta, Ga., March 17, 1914.

Mr. James R. Gray,

Editor Atlanta Journal City,

My Dear Sir:

While I have no interest in the Frank case, outside the interest that every man has in fair play, I wish to thank you for your editorial of last Wednesday on the subject.

Such things as an atmosphere charged with public wrath may be too intangible for the supreme court to consider, but there is no doubt of their effectiveness on a jury, nevertheless. Under the conditions which existed during the trial, with public sentiment worked up to a fever heat, Frank could not have had a fair trial in Atlanta, and I am sure that he could not have been convicted in a locality where prejudice had not been excited as it was here.

Permit me to say that I have always believed in the sincerity of The Journal's editorial expressions, and I have thought for some time, that if you would personally investigate this case, you would feel so strongly on the subject that you would take a firm position, as you now have done.

I believe every fair-minded citizen who considers the facts and not the chatter about this case will be gratified by your stand.

Yours very truly,

A.H. BAILEY.

FROM L. C. DICKSON.

Leslie C. Dickson, attorney of Fayetteville, Ga., says:

Fayetteville, Ga., March 16, 1914.

Editor Atlanta Journal:

Atlanta, Ga.

Dear Sir: I wish to commend you for your fair and brave editorial on the Frank case in your issue of March 10th. Your position is well taken. You deal with this case in a fair and impartial manner, and show that you are taking this position from no selfish motive, and only that justice might be done.

It is vitally important that every man tried for a criminal offense should be given a fair and impartial trial by a jury of his peers, and that no man should be tried at a time when the public mind is inflamed against him as it was when this case was tried. At such a time no defendant against whom such prejudices exist can have an impartial trial. If this man is guilty let him suffer the full penalty of the law, but let him have a fair chance to show a jury that he is not guilty of the offense charged against him. I think your editorial was logical, fair and manly.

Respectfully,

LESTER C. DICKSON.

FROM A. O. MURPHEY.

A. O. Murphey, attorney of Barnesville, expresses himself as follows:

Barnesville, ga.

Editor Journal, Atlanta, Ga.

I, like 95 per cent of the citizens of Georgia, know nothing of the Frank trial except what we have read in the Atlanta papers and heard through other people. But, if half of what we have heard and one-third of what we have read are facts, the entire atmosphere in Atlanta during the trial of Leo M. Frank was not conducive to impartiality or fairness. The state of Georgia is pledged to give every man a fair and impartial trial, and if this man has not been accorded a fair trial, or if the circumstances surrounding his trial were such as has been described in the press of the city of Atlanta, you would fall far short of your duty to your people if you failed to say so.

Many of us think that it was improper for this case to have been handled as it was by the press before the trial, but one wrong does not authorize another, for you would have certainly done a greater wrong in not using your influence in securing a new trial for this man, if you believed he had not had one. It is not

a question as to the innocence or guilt of the man, but one of justice and right. As a public journal it is certainly your duty to uphold the right and denounce the wrong whether in the court room or out. Hence, I cannot see but that you have only done your duty, and should be commended and not criticized for exercising your right and performing your duty. You should be no less a man because you are an editor of a public journal, and when the freedom of the press fails to be used for justice and right, it will be a sad day for Georgia.

A. O. MURPHEY.
